

UNITED STATES DEPARTMENT OF JUSTICE

Drug Enforcement Administration

In the Matter of

**Schedules of Controlled Substances:  
Proposed Rescheduling of Marijuana**

**DEA Docket No. 1362  
Hearing Docket No. 24-44**

**ORDER DENYING DP BROWN'S MOTION FOR  
NUNC PRO TUNC MODIFICATION OF THE RECORD**

On March 17, 2025, Designated Participant (DP) Ellen Brown (DP Brown) filed a motion (Motion or Mot.) requesting the removal of her name from an order previously issued by the tribunal. Mot. at 1. The Motion essentially petitions for some manner of relief in the form of retroactively altering the existing record of this case. Inasmuch as the record is not subject to subsequent modifications at the request of a DP (or anyone else), no action can (or will) be taken to confer the relief requested by DP Brown. The record of this case is what it is.<sup>1</sup>

As such, DP Brown's Motion is herein **DENIED**.

Dated: March 19, 2025

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JOHN J. MULROONEY, II  
Chief Administrative Law Judge

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<sup>1</sup> On this record, it would be difficult to conceive how DP Brown's position on this matter could be more clear or more voluminous supported: she is apparently not in favor of the reconsideration relief requested or the interlocutory appeal.

## CERTIFICATE OF SERVICE

This is to certify that the undersigned, on March 19, 2025, caused a copy of the foregoing to be delivered to the following recipients: (1) Julie L. Hamilton, Esq., Counsel for the Government, via email at julie.l.hamilton@dea.gov; James J. Schwartz, Esq., Counsel for the Government, via email at james.j.schwartz@dea.gov; Jarrett T. Lonich, Esq., Counsel for the Government, via email at jarrett.t.lonich@dea.gov; and S. Taylor Johnston, Esq., Counsel for the Government, via email at stephen.t.johnston@dea.gov; (2) the DEA Government Mailbox, via email at dea.registration.litigation@dea.gov; (3) Shane Pennington, Esq., Counsel for Village Farms International, via email at spennington@porterwright.com; and Tristan Cavanaugh, Esq., Counsel for Village Farms International, via email at tcavanaugh@porterwright.com; (4) Nikolas S. Komyati, Esq., Counsel for National Cannabis Industry Association, via email at nkomyati@foxrothschild.com; and William Bogot, Esq., Counsel for National Cannabis Industry Association, via email at wbogot@foxrothschild.com; (5) Brian Cuban, Esq., for Cannabis Bioscience International Holdings, via email at brian@briancuban.com; (6) Robert Head, for Hemp for Victory, via email at robert@bluecordfarms.com; (7) Scheril Murray Powell, Esq., Counsel for Veteran's Initiative 22, via email at smpesquire@outlook.com; and David C. Holland, Esq., Counsel for Veterans Initiative 22, via email at dch@hollandlitigation.com; (8) Kelly Fair, Esq., Counsel for The Commonwealth Project, via email at Kelly.Fair@dentons.com; Joanne Caceres, Esq., Counsel for The Commonwealth Project, via email at joanne.caceres@dentons.com; and Lauren M. Estevez, Esq., Counsel for The Commonwealth Project, via email at lauren.estevez@dentons.com; (9) Rafe Petersen, Esq., Counsel for Ari Kirshenbaum, via email at Rafe.Petersen@hklaw.com; (10) David G. Evans, Esq., Counsel for Cannabis Industry Victims Educating Litigators, Community Anti-Drug Coalitions of America, Kenneth Finn, Drug Enforcement Association of Federal Narcotics Agents, and National Drug and Alcohol Screening Association, via email at thinkon908@aol.com; (11) Patrick Philbin, Esq., Counsel for Smart Approaches to Marijuana, via email at pphilbin@torridonlaw.com; and Chase Harrington, Esq., Counsel for Smart Approaches to Marijuana, via email at charrington@torridonlaw.com; (12) Zachary Viglianco, Esq., for the State of Nebraska, via email at zachary.viglianco@nebraska.gov; (13) Gene Voegtlin for International Association of Chiefs of Police, via email at voegtlin@theiacp.org; (14) Patrick Kenneally, Esq. Counsel for Drug Enforcement Association of Federal Narcotics Agents, via email at pdkenneally78@gmail.com; (15) Reed N. Smith, Esq., Counsel for the Tennessee Bureau of Investigation, via email at Reed.Smith@ag.tn.gov; and Jacob Durst, Esq., Counsel for Tennessee Bureau of Investigation, via email at Jacob.Durst@ag.tn.gov; and (16) Ellen Brown, via email at ellen@greenpathtraining.com.

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Jazmin Catlett-Price  
Secretary (CTR)  
Office of Administrative Law Judges